

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

OMAR JOHNSON

Plaintiff

v.

CRIMINAL JUSTICE CENTER, *et al.*,

Defendants

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CIVIL ACTION NO. 19-1490

O R D E R

AND NOW, this 18th day of April 2019, upon consideration of Plaintiff Omar Johnson's *motion to proceed in forma pauperis* (ECF No. 1), his Prisoner Trust Fund Account Statement (ECF No. 5), and his *pro se* Complaint (ECF No. 2), it is hereby **ORDERED** that:

1. The motion to proceed *in forma pauperis* is **GRANTED**.
2. Omar Johnson, #GU-4374, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court hereby directs the Warden or other appropriate official of SCI Greene to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Johnson's inmate account; or (b) the average monthly balance in Johnson's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Johnson's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Johnson's inmate account until the fees are paid. Each payment shall reference the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Warden or other appropriate official of SCI Greene.

4. The Complaint is **DEEMED** filed.

5. The Complaint is **DISMISSED**, with prejudice, for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons set forth in the accompanying Memorandum.

6. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court